

ESTTA Tracking number: **ESTTA740363**

Filing date: **04/15/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91226760
Party	Defendant San Bartolo Farms, Inc.
Correspondence Address	GEORGE U. WINNEY Gammage & Burnham P L C 2 N Central Ave Fl 15 Phoenix, AZ 85004-4470  gwinney@gblaw.com
Submission	Answer
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Date	04/15/2016
Attachments	Answer.pdf(35476 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**In the Matter Of: Trademark Application No. 86709910**  
**For the Mark: FRANCISCO'S RESERVE**

FRANCISCAN VINEYARDS, INC.	:	
	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No. 91226760
	:	
SAN BARTOLO FARMS, INC.	:	
	:	
Applicant.	:	
	:	

## APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

Applicant San Bartolo Farms, Inc. hereby answers the Notice of Opposition filed by Franciscan Vineyards, Inc. as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to what “Opposer believes” and therefore denies the allegations set forth in paragraph 1 of the Notice of Opposition. Applicant denies that allowing Application Serial No. 86709910 to proceed to registration will cause Opposer damage.

2. Applicant admits the allegations set forth in paragraph 2 of the Notice of Opposition.

3. Applicant denies the allegations set forth in paragraph 3 of the Notice of Opposition, and affirmatively alleges that it filed Application Serial No. 86709910 on July 30, 2015.

4. Applicant admits the allegations set forth in paragraph 4 of the Notice of Opposition.

5. Applicant denies the allegations set forth in paragraph 5 of the Notice of Opposition.

6. Applicant denies the allegations set forth in paragraph 6 of the Notice of Opposition.

7. Applicant admits the allegations set forth in paragraph 7 of the Notice of Opposition.

8. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 8 of the Notice of Opposition, and therefore denies said allegations.

9. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 9 of the Notice of Opposition, and therefore denies said allegations.

10. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 10 of the Notice of Opposition, and therefore denies said allegations.

11. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 11 of the Notice of Opposition, and therefore denies said allegations.

12. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 12 of the Notice of Opposition, and therefore denies said allegations.

13. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 13 of the Notice of Opposition, and therefore denies said allegations.

14. Applicant denies the allegations set forth in paragraph 14 of the Notice of Opposition.

15. Applicant denies the allegations set forth in paragraph 15 of the Notice of Opposition.

16. With respect to paragraph 16 of the Notice of Opposition, Applicant admits that its intention to use and/or use of Applicant's Mark is without the approval, consent or permission of Opposer, and denies that any such approval, consent or permission is needed or required.

17. Applicant denies the allegations set forth in paragraph 17 of the Notice of Opposition.

18. Applicant denies the allegations set forth in paragraph 18 of the Notice of Opposition.

19. Applicant denies the allegations set forth in paragraph 19 of the Notice of Opposition.

20. Applicant denies the allegations set forth in paragraph 20 of the Notice of Opposition.

21. Applicant denies the allegations set forth in paragraph 21 of the Notice of Opposition.

22. Applicant denies all allegations set forth in the Notice of Opposition that are not specifically and expressly admitted herein.

WHEREFORE, having fully answered the Notice of Opposition, Applicant requests that the Notice of Opposition be dismissed in its entirety.

**DATED** this 15<sup>th</sup> day of April, 2016.

GAMMAGE & BURNHAM, P.L.C.

By /George U. Winney/  
George U. Winney  
Two North Central Avenue, 15<sup>th</sup> Floor  
Phoenix, Arizona 85004  
Attorneys for Applicant,  
San Bartolo Farms, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Applicant's Answer to Notice of Opposition was forwarded by first-class postage prepaid mail by depositing the same with the U.S. Postal Service on this 15<sup>th</sup> day of April, 2016, to counsel for Opposer at the following address:

Jason DeFrancesco  
Baker & Rannells, P.A.  
92 E. Main Street, Suite 302  
Somerville, New Jersey 08876

By /George U. Winney/  
George U. Winney